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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,438	04/08/2004	Gerald Alan Tromblee	PCC126	7153
32047	7590	11/10/2005		
GROSSMAN, TUCKER, PERREAULT & PFLEGER, PLLC 55 SOUTH COMMERICAL STREET MANCHESTER, NH 03101				
			EXAMINER BONANTO, GEORGE P	
			ART UNIT 2855	PAPER NUMBER

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EL

<b>Office Action Summary</b>	<b>Application No.</b> 10/820,438	<b>Applicant(s)</b> TROMBLEE ET AL.	
	<b>Examiner</b> George P. Bonanto	<b>Art Unit</b> 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/18/2005</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 200 and 208 from Fig. 2, 206 from Fig. 4 (106 should be deleted), 1004 from Fig. 10 (1007 should be deleted).

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 1230 shown in Fig. 12.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities: page 7, line 10, contains a typo, the word "contacts" should be deleted and the word "contact" should be inserted in its place.

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On page 8, line 11, the reference numeral “508” should be deleted and the reference numeral “506” should be inserted in its place in order to conform to the drawing.

On page 9, line 14, a space should be inserted between the “9” and the “w” of reference numeral “519” and the word “within.”

The specification contains numerous inconsistencies in the use of reference numerals and the descriptions of the elements identified by those numerals. Applicants’ assistance is requested in correcting any inconsistencies discovered during review of the specification. Applicants’ attention is directed to pages 11 and 12, for example, where the reference numeral 802 is described as “fixed vehicle structure” “fixed vehicle seat assembly” “seat structure” and “assembly.” In addition, reference numerals 1206 and 1210 have inconsistent descriptions.

On page 14, line 16, the word “one” should be deleted and the number “1” should be inserted in its place in order to conform to the drawing.

Appropriate correction is required.

### ***Claim Objections***

Claim 1 is objected to because of the following informalities: the phrase, “said movable member comprising connection bar” should be deleted and the phrase, “said movable member comprising a connection bar” should be inserted in its place. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

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invention. Specifically, the phrase, “wherein said connection bar includes angularly disposed relative to said main plate” is not grammatically correct, and it is unclear what Applicants intend to claim.

Claim 3 is objected to because of the following informalities: claim element “said assembly” lacks antecedent basis. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,729,194 to Kaijala et al.

As to claim 1, Kaijala et al. discloses a main plate configured for attachment to a fixed vehicle structure (anchor plate 60; Fig. 1) a movable member having a portion at least partially disposed in an opening in said main plate (housing 40; Fig. 2 disposed in aperture 65; Fig. 1) said movable member comprising connection bar extending beyond said main plate for receiving an attachment mechanism fixed to the child safety seat (narrow portion 51 where seat belt wraps around; col. 2, lines 43-45 and child’s car seat strapped into the car seat; col. 5, lines 52-53) at least one magnet fixed to the movable member (magnet 110 attached to housing; Fig. 1) and a Hall device disposed adjacent the magnet and fixed to the main plate, whereby tension on the bar causes relative motion between the at least one magnet in the Hall device (Hall effect device 82;

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Fig. 1) the Hall device providing a first output upon application of tension to the bar and a second output when tension is removed from the bar (col. 3, lines 50 to col. 4, line 9).

As to claim 2, assuming that the language of claim two requires that the connection bar is angularly disposed relative to the main plate, Kaijala et al. further disclose that the connection bar is angularly disposed relative to the main plate (anchor plate 60 is "s"-shaped; Fig. 2 and, thus, housing is disposed at some angle to at least a portion of the anchor plate).

As to claim 3, Kaijala et al. further disclose that the assembly further comprises at least one spring for biasing the movable member in a first position relative to the main plate (spring 70; Fig. 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,729,194 to Kaijala et al, as applied to claim 1 above.

As to claim 1, assuming that Kaijala et al. only discloses the arrangement where the magnet is fixed to the anchor plate and the Hall effect sensor is fixed to the housing (col. 3, lines 51-56), then Kaijala et al. fails to disclose that the at least one magnet is fixed to the movable member, and a Hall device disposed adjacent the magnet and fixed to the main plate.

It would have been obvious, however, to one of ordinary skill in the art to modify the sensor of Kaijala et al. by rearranging the magnet and the Hall effect sensor so that the magnet is

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fixed to the housing and the Hall effect sensor is attached to the anchor plate in order to provide relative movement between the magnet and the Hall effect sensor (col. 3, lines 51-56) since the arrangements are functionally equivalent and since it has been held that a mere rearrangement of parts involves only ordinary skill in the art (In re Japikse, 86 USPQ 70).

As to claim 2, assuming that the language of claim two requires that the connection bar is angularly disposed relative to the main plate, Kaijala et al. further disclose that the connection bar is angularly disposed relative to the main plate (anchor plate 60 is "s"-shaped; Fig. 2 and, thus, housing is disposed at some angle to at least a portion of the anchor plate).

As to claim 3, Kaijala et al. further disclose that the assembly further comprises at least one spring for biasing the movable member in a first position relative to the main plate (spring 70; Fig. 1).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Nos. 6,857,326 and 6,732,592 disclose safety belt sensor systems.

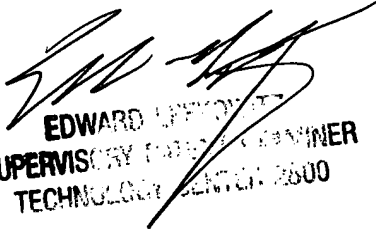
Any inquiry concerning this communication or earlier communications from the examiner should be directed to George P. Bonanto whose telephone number is (571) 272-2182. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GPB

  
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